

PATENT
Docket No. 55837US002
RECEIVED
FACSIMILE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Deral T. MOSBEY et al.) Group Art Unit: 1617
Serial No.: 09/966,511) Examiner: Lauren Q. Wells
Confirmation No.: 4740)
Filed: 28 September 2001)
For: WATER-IN-OIL EMULSIONS WITH ETHYLENE OXIDE GROUPS,
COMPOSITIONS, AND METHODS

OFFICIAL

FACSIMILE TRANSMISSION TO THE PTO

Mail Stop AF
Commissioner for Patents
Attn: Examiner Lauren Q. Wells
P.O. Box 1450
Alexandria, VA 22313-1450

FAX NUMBER: (703) 872-9306
Total Pages (including cover page): 29 pgs.
Time: 4:42 p.m. (Central Time)
(Transmission must be complete by
midnight eastern time.)

The following papers are being transmitted to the Patent and Trademark Office by facsimile transmission: Notice of Appeal to the Board of Patent Appeals and Interferences (1 pg); Communication Re: Advisory Action (2 pgs); Clean set of claims (19 pgs); Exhibit A - return receipt stamped postcard (1 pg); Exhibit B - IDS and 1449 form filed 27 February 2002 (4 pgs); and Petition for Extension of Time (1 pg).

Please Note: Deposit Account No. 13-4895 charged \$330 for Notice of Appeal fee and \$110 for Extension of Time fee.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 13-4895.

Mueting, Raasch & Gebhardt, P.A.

June 14, 2004
Date

By: Ann M. Mueting
Ann M. Mueting
Reg. No. 33,977
Direct Dial (612)305-1217

CERTIFICATE UNDER 37 C.F.R. §1.8: The undersigned hereby certifies that this Facsimile Cover Sheet and the paper(s), as described hereinabove, are being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office addressed to the Mail Stop AF, Commissioner for Patents, Attn: Examiner Lauren Q. Wells, P.O. Box 1450, Alexandria, VA 22313-1450, on this 14th day of June, 2004, at 4:42 p.m. (Central Time).

June 14, 2004
Date

Signature: Rachel Bagliardi Gebhardt
Name: Rachel Bagliardi Gebhardt

If you do not receive all pages, please contact us at (612)305-1220 (ph) or (612)305-1228 (fax).

PATENT
Docket No. 55837US002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Deral T. MOSBEY et al.)	Group Art Unit:	1617
)		
Serial No.:	09/966,511)	Examiner:	Lauren Q. Wells
Confirmation No.:	4740)		
)		
Filed:	28 September 2001)		
)		
For:	WATER-IN-OIL EMULSIONS WITH ETHYLENE OXIDE GROUPS, COMPOSITIONS, AND METHODS			

COMMUNICATION RE: ADVISORY ACTION

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Advisory Action mailed 7 June 2004 has been received and reviewed. The pending claims are claims 1-61 and 66-75. Claims 62-65 were previously cancelled on 7 August 2002. Claims 53-65 and 71-75 were previously withdrawn from examination on 11 April 2003. The disposition of the claims from the Advisory Action incorrectly states the withdrawn claims as claims 53-61 and 71-74.

Applicants thank the Examiner for notification to the effect that the 35 U.S.C. §112 rejection has been overcome.

As requested by the Examiner, Applicants submit that the Information Disclosure Statement submitted on 27 February 2002 was received by the U.S. Patent and Trademark Office as evidenced by the U.S.P.T.O. receipt stamp (marked as Exhibit A). For the Examiner's convenience, a copy of the Information Disclosure Statement and the 1449 form submitted on 27 February 2002 (marked as Exhibit B) accompany the U.S.P.T.O. stamped receipt postcard. Applicants respectfully request that the Examiner initial the 1449 form and provide a copy to Applicants with the next official communication.

With respect to the non-entered proposed amendments submitted in the Amendment and Response of 11 May 2004, Applicants note that the claim amendments to claims 68 and 70 were typographical errors. Claims 68 and 70 were previously amended in the Amendment and Response submitted on 14 October 2003. As such, claims 68 and 70 were meant to be

Page 2 of 2

Communication Re: Advisory Action

Serial No.: 09/966,511

Confirmation No.: 4740

Filed: 28 September 2001

For: WATER-IN-OIL EMULSIONS WITH ETHYLENE OXIDE GROUPS, COMPOSITIONS, AND METHODS

considered as "previously presented" without the underlining or strikethrough of text. Thus, these claims do not raise new issues.

Furthermore, Applicants believe that the Examiner's note regarding claim 63 is also a typographical error, as claim 63 is currently cancelled. As noted above, claims 62-65 were previously cancelled on 7 August 2002.

For the Examiner's convenience, attached herewith is a clean set of claims which reflect the current status of claims 68 and 70. Applicants respectfully request that the clean set of claims replace the set of claims filed with the Amendment and Response of 11 May 2004.

The Examiner is invited to contact Applicants' Representatives, at the below-listed telephone number, if it is believed that prosecution of this application may be assisted thereby.

CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper is being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office, addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 14th day of June, 2004, at 4:42pm (Central Time).

Signature: Rachel Gebhardt Gebhardt
Name: Rachel Gebhardt Gebhardt

June 14, 2004
Date

AMM/rgg

Respectfully submitted for

Derald T. MOSBEY et al.

By
Mueting, Raasch & Gebhardt, P.A.
P.O. Box 581415
Minneapolis, MN 55458-1415
Phone: (612)305-1220
Facsimile: (612)305-1228

By: Ann M. Mueting
Ann M. Mueting
Reg. No. 33,977
Direct Dial (612)305-1217